



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Tuesday, May 03, 2016

MINUTES

The City Council of the City of Leon Valley, Texas met on the 3rd day of May, 2016 at the Leon Valley City Council Chambers located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business.

Call to order, Determine a Quorum is Present.

Mayor Riley called the Regular City Council Meeting to order at 7:08 p.m. Mayor Riley and led the Pledge of Allegiance.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Council Members David Edwards, Carmen Sanchez, Monica Alcocer, Benny Martinez and David Jordan.

Also in attendance were:

City Manager Kelly Kuenstler, City Secretary Sandra Passailaigue, City Attorney Roxann Pais Cotroneo, Fire Chief Luis Valdez, Assistant Police Chief Ray Lacy, Finance Director Vickie Wallace, Assistant Finance Director Wesley Jackson, Library Director Sandy Underwood, Public Works Director Melinda Moritz, and Communications Director Kristie Flores.

Citizens to Be Heard and Time for Objections to the Consent Agenda.

Mayor Riley asked if any of the Council Members wished to pull any item from the Consent Agenda for discussion. No items were pulled.

Mayor Riley read aloud a letter submitted by Olen Yarnell of Sulky Lane. In the letter Mr. Yarnell expressed his concerns with safety issues at the new Municipal Building. Mr. Yarnell suggests that lighting in four areas be considered as well as the installation of a guardrail at the drop off near where the old steps used to be at the old main entrance of the building.

Presentation and performance evaluation report regarding Helotes Emergency Dispatch Services. M&C #2016-05-03-01 (L. Valdez and R. Lacy).

City Manager Kelly Kuenstler introduced and Helotes City Administrator Rick Schroder and dispatch staff.

Fire Chief Luis Valdez and Assistant Police Chief Ray Lacy presented this item to provide the City Council an update and performance evaluation of Helotes emergency dispatch services. This evaluation includes technology, staffing, training and general service delivery as identified from staff's evaluation and recommendation. This presentation will provide a summary of the evaluation, and include any changes or modifications from the original intent of service delivery. The contract for emergency dispatch services was awarded to the City of Helotes. The cost of the service was \$135,000 and approved in the Fiscal Year 2016 budget.

- Olen Yarnell, Sulky Lane, stressed that the dispatch is not Shavano Park but simply the location of the Regional Emergency Operations Centre.

Mayor Riley said that she would delay the next item related to the July 4th presentation until Communications Director Kristie Flores arrived.

CONSENT AGENDA

Approval of City Council Minutes. (S. Passailaigue)

- a) April 19, 2016 Special City Council Meeting**
- b) April 19, 2016 Regular City Council Meeting**
- c) April 23, 2016 Coffee with the Mayor and City Council**

Approval of Quarterly Investment Report for the quarter ended March 31, 2016. M&C #2016-05-03-03 (V. Wallace).

Discussion and possible action on the appointment of Brigid Cooley as "Alternate" to the Library Board of Trustees, and Catherine Rodriguez to the Community Events Committee. M&C #2016-05-03-04 (S. Passailaigue)

A motion was made by Council Member Monica Alcocer and seconded by Council Member Carmen Sanchez, to approve Consent Agenda Item #9 (April 19, 2016 Special City Council Meeting, April 19, 2016 Regular City Council Meeting, and April 23, 2016 Coffee with the Mayor and City Council), Item #10 (Quarterly Investment Report), and Item #11 (Resolution No. 16-011R) as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

REGULAR AGENDA

Consider, discuss and possible action on a Petition for the Closure of One End of Hodges Street. M&C #2016-05-03-05 (M. Melinda).

Public Works Director Melinda Moritz presented this item for City Council to consider a petition by Mr. and Mrs. Rey Mercado, Jr., and other property owners along Hodges Street, to close one end of their street. Staff received a petition from Mr. and Mrs. Rey Mercado to close one

end of Hodges Street. Of the fifteen (15) total properties, the petition has signatures from 10 of those property owners, along with a notation that one additional verbal agreement was also received, which equates to 66%, or 73% of the property owners, if the verbal agreement is verified. The petition states that the street has become a pass through for vehicles going to and from Bandera and Evers Roads, endangering families and pets. It further states that the vehicles cutting through are exceeding the posted 30 mph speed limit, and that large delivery trucks also use this street as a pass through. The citizens state that they feel these issues have created a critical safety issue for their neighborhood. This street is a part of the S.R. Hodges subdivision, which is comprised of both Hodges and Althea streets, which were platted in 1950's. At that time, this neighborhood was considered to be rural. Both streets are substandard, with limited right-of-way, and not designed for high traffic volume or speed.

Public Works Director Moritz explained that an alternative to closing one end of the street is to install speed humps. A traffic count was conducted that indicates the majority of vehicles on Hodges are traveling between 21 and 25 miles per hour and that averages of 126 vehicles travel down the street one way. If doubled, this only amounts to 252 vehicles per day, which does not meet the minimum requirement for speed humps. The speed hump policy does have a variance provision for traffic counts. The City Council could grant a variance to the policy to allow the installation of speed humps, if the residents are able to obtain signatures from 90% of the total property owners in that subdivision. If City closes one end of Hodges, Althea Drive will most likely become the next cut through street.

Fire Chief Luis Valdez does not recommend closing the street as this action could cause a violation of the Fire Code. The City would have to construct a cul-de-sac and there is probably not enough room. The City Engineer does not agree with closing the street for the same reason.

The fiscal impact to closing the street would cost approximately \$30,000 +/- and would most likely require some arrangements with the City of San Antonio and speed hump assemblies and signage cost approximately \$4500.

Public Works Director Moritz concluded the presentation saying that staff recommends the following options: 1) Deny the request to close one end of the road; a. Ask the petitioners to provide the required 90% property owner signatures as per the Speed Hump Policy. Once received, the City Council could grant a variance to the daily traffic count requirements and install speed humps on Hodges; b. Poll the property owners of Althea for their agreement with granting a variance to the speed hump policy daily traffic count as stated above, to install speed humps on both streets.

- Mr. and Mrs. Rey Mercado and other citizens from Hodges Drive spoke in opposition of speed humps and stood firm on their desire to have Hodges Drive closed.
- Hector Flores, 4928 Hodges Drive, spoke in favor of closing Hodges Drive.
- Ann Flores, 4928 Hodges Drive, spoke regarding "NO THRU TRAFFIC" signage.
- Barbara Connally, 4913 Hodges Drive, spoke in favor of closing Hodges Drive.
- Monica Bustamante, 4908 Hodges Drive, spoke in favor of closing Hodges Drive.

- Iris Guenther Freitag, 4909 Hodges Drive, proposed maybe making Althea and Hodges a gated community.
- Hector Flores, 4929 Hodges Drive, told the City Council that Hodges Drive is only twenty feet (20') wide.
- Barbara Connally, 4913 Hodges Drive, said there are no speed limit signs on Hodges Drive.
- Belinda Ealy, expressed her concern with thoroughfares and suggested having a sticker on the vehicles of the residents of Hodges Drive and Althea and only allow those with the sticker to travel down those streets.
- Rey Mercado, Sr., 4912 Hodges Drive, spoke about other cities that have been successful closing streets.

Chief Valdez said his professional recommendation would be to attempt any traffic calming measure first.

Council Member Benny Martinez suggested making Hodges Drive a sort of "one-way street" where people would be prevented from turning into Hodges Drive from Evers but leave the egress to where people can still get out. Public Works Director Melinda Moritz said she would be happy to check with the city engineer. The City will also put the speed trailer facing the opposite direction.

Council Member David Jordan said he understood because *The Ridge* subdivision has the same concerns.

A motion was made by Council Member David Jordan to turn the traffic counter around to get an accurate count, provide signage such as "slow children at play" an "No Thru Traffic", add speed limit signs with flashers like the ones near the library and if the citizens do decide they want speed humps, to ask that they begin gathering the required signatures that the City Council may consider at a later time..

Council Member Monica Alcocer asked the city attorney whether or not that motion could be made based on the agenda item being for the consideration of a street closure. City Attorney Roxann Pais Cotroneo said it would be allowed as it was providing direction to staff in response to the request to close the street. Council Member Monica Alcocer then gave her second to the previous motion made by Council Member David Jordan. There was no vote taken on that motion.

Mayor Riley asked for a friendly amendment to the motion to add the consideration of a "one-way" option and enforcement of the "No Thru Traffic" sign.

Council Member David Jordan accepted the friendly amendment to the motion. Council Member Benny Martinez seconded that motion.

Council Member Monica Alcocer asked for another friendly amendment to the motion that it be added in the petition that the speed limit be reduced to 20 mph and direct staff to see if there was necessary.

City Attorney Cotroneo said she would need bring back an ordinance change to reduce the speed limit. Council Member Jordan said that the minimum speed can only be 25 mph.

Council Member David Jordan accepted Council Member Monica Alcocer's friendly amendment and then seconded it.

City Secretary Sandra Passailaigue read aloud the motion along with friendly amendments and asked for clarification.

Council Member David Jordan withdrew his motion.

A motion was made by Council Member David Jordan and seconded by Council Member Monica Alcocer, to turn the traffic counter around to get an accurate count, provide signage such as "slow children at play", speed limit signs with flashers like the ones near the library and if the citizens do decide they want speed humps, increase law enforcement on Hodges Drive, to have staff consult with the city engineer to discuss the possibility of making Hodges Drive a "one-way" street, to ask that they begin gathering the required signatures that the City Council may consider at a future date, direct staff to do a study and research whether or not an amending ordinance reducing the speed limit to 25mph would be a possibility. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action on approval of a Request by the San Antonio Astronomical Association for a Variance to Article 1.09 Parks and Recreation, Section 1.09.008 Park Resource Usage, to Allow the Use of the Large Parking Lot at Raymond Rimkus Park on Wednesdays, from Dusk to 10:30 PM, For the Purpose of Stargazing, For an Indefinite Period of Time - Mr. Matt Rottman. M&C #2016-05-03-06 (M. Moritz).

Public Works Director Melinda Moritz presented this item for City Council to consider approval of a request by the San Antonio Astronomical Association for a variance to Article 1.09 Parks and Recreation, Section 1.09.008 Park Resource Usage, to allow the use of the large parking lot at Raymond Rimkus Park on Wednesdays, from dusk to 10:30 PM, for the purpose of stargazing, for an indefinite period of time.

Public Works Director Moritz gave a brief background on the request saying in November of 2015, the San Antonio Astronomical Association asked if they could use the large parking lot at Raymond Rimkus Park, each Wednesday evening, from dusk to 10:30 pm. As any activity in the park after sun down is prohibited, this request requires that their organization receive a variance to the Park ordinance, specifically to Article 1.09 Parks and Recreation, Sec. 1.09.008 Park Resource Usage, which states: "(a) All parkland resources, except for specified exemptions, are available on first come, first served basis during authorized operating hours specified as sun up to sun down. Entry or remaining in any parkland, natural area, trails, city-owned Huebner Creek or related drainage areas except during authorized operating hours is specifically prohibited including overnight camping (no exception), erecting a tent, or arranged bedding, or both, for the purpose of, or in such a manner as will permit remaining overnight." The San Antonio Astronomical Association, a 501 c (3) Educational Non-profit Association, has

been offering free viewing of the night sky to the general public at McAllister Park in San Antonio. That park has recently installed lighting, which prevents viewing the night sky. After reviewing their options, the Association chose Raymond Rimkus Park, as it has the required amount of dark sky for their purposes. The Association proposes to use the large parking lot, from just before dusk to 10:30 pm. They have stated that they normally have 20 to 30 attendees, unless there is a special occasion, at which as many as 100 persons would attend. Their outreach includes Boy and Girl Scout Troops, high school and college students, and the general public. At the February Park Commission meeting, the Park Commission recommended the group be allowed their request for a trial period of eight weeks. On February 16, 2016, the City Council approved this request with the trial period to start on March 1, 2016 and with the mandate that the Association report back to the Park Commission at the Regular Park Commission meeting held April 12, 2016.

The San Antonio Astronomical Association does not charge a fee for attendance at their events. There are no City rental fees for the large parking area; however, the athletic fields are rented at a cost of \$5.00 per hour. There is also a cleanup fee of \$50 for groups from 50-100 persons.

Public Works Director Moritz concluded the presentation saying the Park Commission met on April 12, 2016 to hear and make a final recommendation on this request. The Park Commission determined that the use meets the three findings as stated in the variance request procedures and therefore, recommends approval of this request, as follows: 1) That the San Antonio Astronomical Association be allowed to use the large parking lot at Raymond Rimkus Park for the purpose of stargazing, from dusk to 10:30 pm, for an indefinite period of time. Options: Approve the request as recommended by the Park Commission; or 2. Deny the request.

Mayor Riley said that staff will need to add the San Antonio Astronomical Association events to the City of Leon Valley's ENews. Also, that May 9th is a special viewing of a transit of Mercury or Venus in the morning.

A motion was made by Council Member Benny Martinez and seconded by Council Member David Jordan, to grant the variance to Article 1.09 Parks and Recreation, Section 1.09.008 Park Resource Usage, to allow the use of the large parking lot at Raymond Rimkus Park on Wednesdays, from dusk to 10:30 p.m., for the purpose of stargazing, for an indefinite period of time as requested. Upon a unanimous vote, Mayor Riley announced the motion carried.

Mayor Riley moved Item 18 up to this part of the meeting.

Consider, discuss and take action to adopt a resolution to approve the issuance by the Danbury Higher Education Authority of its education revenue bonds (Riverwalk Education Foundation, Inc.) Series 2016 for purposes of Section 147(f) of the Internal Revenue Code. M&C #2016-05-03-11 (R. Cotroneo).

City Attorney Roxann Pais Cotroneo presented the item saying that the Riverwalk Education Foundation is a qualified 501(c)-3 organization and is eligible to participate in tax-exempt

financings. This Foundation has to issue bonds through a state-approved conduit and conduct and publish a public hearing on the financing. This Foundation's state-approved conduit is The Danbury Higher Education Authority. The Riverwalk Education Foundation seeks to obtain up to \$5 million in bonds. Funds will be used to purchase land and the construction and equipment of existing facilities across the State of Texas. Some of these same funds will be used to finance or refinance certain equipment and renovations to the educational facilities located the School of Science and Technology campus, 5707 Bandera Rd., Leon Valley, Texas 78238. Because one of the benefitted campuses is located in Leon Valley, Section 147(f) of the Internal Revenue Code requires that the "highest elected official" of the City approve the transaction after a public hearing is held. The public hearing was held on March 16, 2016 at 2:00 p.m. at 111 Congress Ave, 17th Floor, Austin, Texas 78701. There is no fiscal impact to the City as the loan is neither a City debt nor liability.

City Attorney Cotroneo concluded the presentation saying that staff recommends that the City Council approve the attached resolution that: Approves the bonds and the facilities to be financed/refinanced with bond proceeds; Ratify and approve actions taken on behalf of the City to appoint a Hearing Officer and appoint a Hearing Officer; and Approve the publication of Notice of the Public Hearing, which was held on March 16, 2016.

Andrews Kurth and Clay Holland, Bond Counsel for Riverwalk Education Foundation was present to provide an answer to any questions.

A motion was made by Council Member Benny Martinez to authorize the Mayor to sign the agreement and sign the resolution.

Council Member Monica Alcocer stated that she would like to discuss the item before a motion is made.

Council Member Benny Martinez immediately withdrew his motion.

There was a brief discussion.

A motion was made by Council Member Benny Martinez and seconded by Council Member Monica Alcocer, to authorize the Mayor to sign the agreement and adopt the resolution.

City Attorney Cotroneo asked that Council read the agenda item language as it's listed. Mayor Riley then withdrew the motion made by Council Member Benny Martinez and seconded by Council Member Monica Alcocer.

A motion was made by Council Member Benny Martinez and seconded by Council Member Monica Alcocer, to adopt a resolution to approve the issuance by the Danbury Higher Education Authority of its education revenue bonds (Riverwalk Education Foundation, Inc.) Series 2016 for purposes of Section 147(f) of the Internal Revenue Code. Upon a unanimous vote, Mayor Riley announced the motion carried.

Presentation of the July 4th Event. M&C #2016-05-03-02 (K. Flores).

Communications Director Kirstie Flores presented the item to update the City Council of the activities and entertainment that have been secured for the 2016 4th of July event. The 4th of July budget is \$46,000. Anticipated revenues from the event are: sponsorship checks/commitments - \$35,500; booth revenues - \$3,866; and other potential revenues - \$7,000. Anticipated preliminary expenditures are: approximately \$60,307 and personnel Overtime/FICA \$12,445. Council Member Alcocer asked that the flags not be made in China but instead to find flags made in America.

- Olen Yarnell, Sulky Lane, said it was great to have Kristie back and reminded the Council that there is a flag company in Leon Valley.
- Belinda Ealy, spoke about the need for shade.

Consider, discuss and possible action on the final overview which includes the Capital Project Municipal Bond and other funds used for the project. M&C #2016-05-03-07 (V. Wallace).

Finance Director Vickie Wallace presented this item to provide Council with a final overview of the Municipal Complex Project. Total revenues in the Capital Projects Fund is \$7,805,629; Total construction related expenditures \$7,415,874; Total technology expenditures \$399,593, Total revenues \$8,222,837; Total expenditures \$8,232,675.

- Olen Yarnell, Sulky Lane, asked about the funds for the staff parking lot fence and the Fire Department fence.
 - Finance Director Wallace replied that this is funded in the proposed Fiscal Year 2017 Budget.

Consider, discuss and possible action on the Library Strategic Plan 2016 – 2020. M&C #2016-05-03-08 (S. Underwood).

Library Director Sandy Underwood presented the proposed Strategic Plan which was crafted as a foundation for growth and gives direction to the Board, Librarian and staff.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to approve the Library Strategic Plan 2016 – 2020 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action on City Council holding a Business Meeting from 5-7 p.m. M&C #2016-05-03-09 (K. Kuenstler).

City Manager Kelly Kuenstler presented this item saying the purpose of the business meeting, i.e.: work session, is to allow City Council questions and public interaction on business items on the agenda so that a more efficient business meeting is run at the 7 p.m. City Council Meeting. City Manager Kuenstler concluded saying that this request is consistent with the City of Leon Valley's Strategic Plan which outlines goals and objectives. One of the stated goals in this plan is citizen involvement. The work session allows for further City Council discovery and further citizen involvement. The goals and objectives outlined in the Strategic Plan are

reached, partially, through interdepartmental and council efforts. A well informed Council, staff and citizenry are essential in addressing a strategic plan and moving a City forward.

The presentation was followed by a lengthy discussion.

City Manager Kelly Kuenstler said she would direct department heads to make themselves available from 3:00 p.m. to 6:30 p.m. so that Council may come to City Hall to meet and get their questions answered. Mayor Riley also suggested re-writing the agenda.

A motion was made by Council Member David Jordan and seconded by Council Member Benny Martinez, to table this item until a future meeting. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action on City Council holding quarterly meetings with the City of Leon Valley Economic Development Corporation (LVEDC), the Leon Valley Area Chamber of Commerce (LVACC) and the Leon Valley Historical Society (LVHS). M&C #2016-05-03-10 (K. Kuenstler).

City Manager Kelly Kuenstler presented this item saying the purpose of the quarterly meetings is to advance coordination and corroboration efforts between the City of Leon Valley and the City of Leon Valley Economic Development Corporation (LVEDC), the Leon Valley Area Chamber of Commerce (LVACC) and the Leon Valley Historical Society (LVHS).

A motion was made by Council Member Benny Martinez and seconded by Council Member David Jordan, to begin holding quarterly joint meetings between the City of Leon Valley and the City of Leon Valley Economic Development Corporation (LVEDC), the Leon Valley Area Chamber of Commerce (LVACC) and the Leon Valley Historical Society (LVHS) beginning with the first meeting in September 2016.

Council Member Monica Alcocer requested a friendly amendment to the motion to begin these quarterly meeting in October and not in September when the Council is considering the upcoming budget. Council Member Benny Martinez accepted the friendly amendment.

Upon a unanimous vote, Mayor Riley announced the motion carried.

City Manager's Report:

a) Approved Minutes from Boards, Commissions and Committees

b) Future Agenda Items:

- Sign Ordinance LED
- Hand Gun Policy

c) Upcoming Important Events:

- Room Dedication Ceremony, Leon Valley Public Library, Saturday, May 7, 2016, 2:30 p.m. to 4:00 p.m.
- Special City Council Workshop on Drainage Study, Council Chambers, Saturday, May 7, 2016, 11:30 a.m. to 1:30 p.m.
- Annual Pet Parade, Saturday, May 14, 2016, 9:00 a.m. to 11:00 a.m.

- **City Council Orientation, Council Chambers, Friday, May 20, 2016, 8:30 a.m. to 11:30 a.m.**
- **Neighborhood Renewal Program (NRP), Saturday, May 21, 2016, 7:30 a.m. to Noon.**

City Manager Kelly Kuenstler informed the City Council and guests that from tonight moving forward, the City Manager's Report will be posted to the City's website. Ms. Kuenstler also said that department heads will make themselves available from 3:00 p.m. to 6:30 p.m. via email, telephone or in person on meeting nights so that Council may ask questions. Lastly, Ms. Kuenstler told everyone that in lieu of court fines, the Municipal Court Judges are now using community service so that Leon Valley gets a benefit that it would not get out of the payment of court fines.

Citizens to be heard.

None

Announcements by the Mayor and Council Members.

Council Member Monica Alcocer wished everyone a "Good morning!"

Council Member Benny Martinez said it was "ice cream time!"

Council Member David Jordan thanked everyone for coming this evening.

Mayor Riley announced that on May 17th, Bexar County Judge Nelson Wolff would be present to administer the Oath of Office to the Council members.

Adjournment.

Mayor Riley announced the meeting adjourned at 10:58 p.m.

These minutes approved by the Leon Valley City Council on the 7th of June, 2016.

APPROVED

Chris Riley

CHRIS RILEY
MAYOR

ATTEST:

Saundra Passailaigue
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

